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## Judge Tosses Out Tribes' Water Suit

The Associated Press  
Friday, May 31, 2002; 10:16 PM

GRAND RAPIDS, Mich. — A federal judge has dismissed a lawsuit filed by three American Indian tribes to keep a bottled water company from withdrawing thousands of gallons of spring water a day at a new \$100 million plant.

The judge ruled Tuesday that the tribes didn't have the right to sue under the provisions of the 1986 Water Resources Development Act. The act was meant to give authority to protect the Great Lakes to state governments, not private individuals, the ruling said.

The Feb. 22 lawsuit by the Little Traverse Bay Bands of Odawa Indians, the Grand Traverse Band of Ottawa and Chippewa Indians, and the Little River Band of Ottawa Indians alleges that withdrawing Great Lakes groundwater could reduce water levels and impair the tribes' fishing rights.

Ice Mountain Spring Water Co. has said it would withdraw up to 575,000 gallons of water a day from the western Michigan plant. Production started May 4.

William Rastetter, who represents the tribes, didn't return a message seeking comment Friday.

A second lawsuit is pending against the company by Michigan Citizens for Water Conservation, a group of residents living near the bottling plant who seek legislation that would give the state more control over its water resources.

Ice Mountain Spring Water is a division of Nestle Waters North America, formerly Perrier Group of America Inc.

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